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*Attorneys for Defendant Equifax
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

OSCAR L. GARCIA et al.,

Plaintiffs,

V.

EQUIFAX INFORMATION SERVICES LLC,

Defendant.

Case No. 2:17-cv-3123-JAD-VCF

**DEFENDANT EQUIFAX INFORMATION
SERVICES LLC'S RESPONSE TO
PLAINTIFFS' MOTION TO LIFT STAY**

On November 2, 2020, Plaintiffs filed their Motion to Lift Stay, in accordance with this Court’s Order dated March 27, 2020 (“Motion”) (ECF No. 42). In their Motion, Plaintiffs move the Court to “lift stay and adjudicate Equifax Information Services LLC’s Motion to Dismiss on the merits.” *Id.*

Defendant Equifax Information Services LLC (“Equifax”) notes for the Court’s clarification that Equifax’s Motion for Partial Dismissal of Plaintiffs’ Third Amended Complaint and to Strike Class Allegations (ECF No. 28) has already been adjudicated on the merits. See

1 Order Granting in Part Motion to Dismiss and to Strike dated March 23, 2020 (ECF No. 28),
2 holding that

- 3 • Williams's claims are dismissed with prejudice and without leave to amend;
- 4 • Sutton's claims are dismissed with prejudice and without leave to amend, EXCEPT for
5 his claims predicated on the information reported for his CCCU-mortgage account identified as
6 the "First Account No. 5497";
 - 7 • Garcia may proceed on all of his claims; and
 - 8 • Plaintiffs' class allegations are deemed struck.

9 *Id.* Equifax does not oppose the lifting of the stay in this matter with respect to Sutton's claims
10 "predicated on the information reported for his CCCU-mortgage account identified as the "First
11 Account No. 5497," and Garcia's individual claims.

12 Respectfully submitted this 6th day of November, 2020.

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14 /s/ Zachary A. McEntyre
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27 *Attorneys for Defendant Equifax*
Information Services LLC

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that, on November 6, 2020, I filed the foregoing with the Court via the
3 CM/ECF system, which will serve a true and correct copy on all counsel of record in this matter.

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